

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THELMA J. HARRIS,

Plaintiff,

Case No: 1:08-cv-384

v

HON. JANET T. NEFF

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**OPINION AND ORDER**

Plaintiff seeks judicial review of a decision of the Commissioner of the Social Security Administration. 42 U.S.C. § 405(g). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation, recommending that this Court affirm the Commissioner's decision to deny disability insurance benefits (DIB). The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. Civ. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Opinion and Order.

Plaintiff argues that the Magistrate Judge erred in adopting the position of the Administrative Law Judge (ALJ), finding that the 2006 statements of plaintiff's treating psychologist, Dr. Riessinger, are not entitled to weight because they are inconsistent with the psychologist's own report. Contrary to plaintiff's assertion, the ALJ did not fail to indicate the basis for rejecting the limitations proffered by Dr. Riessinger's 2006 statements. The Court finds no error in the Magistrate Judge's analysis and determination in this regard.

Plaintiff also asserts her belief that her disability is supported by substantial evidence, and that the ALJ failed to apply the standard and burden of proof to show that plaintiff could return to other employment. Plaintiff points to no error in the analysis and determination of the Magistrate Judge. A party filing objections to a report and recommendation “shall specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections.” W.D. Mich. LCivR 72.3(b). Plaintiff raises no point of error for this Court’s review.

Accordingly:

**IT IS HEREBY ORDERED** that the objections (Dkt 13) are DENIED, the Report and Recommendation of the Magistrate Judge (Dkt 12) is APPROVED and ADOPTED as the Opinion of the Court, and the decision of the Commissioner of Social Security is AFFIRMED.

A Judgment will be entered consistent with this Opinion and Order.

Dated: April 20, 2010

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge